

CLOSED, TYPE-I

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:05-cv-02252-EGS

COOPER v. U.S. Department of the Navy
Assigned to: Judge Emmet G. Sullivan
Cause: 05:552 Right to Privacy Act

Date Filed: 11/18/2005
Date Terminated: 03/30/2007
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**IVER P. COOPER**

represented by **James D. Miller**
KING & SPAULDING LLP
1700 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 737-0500
Fax: (202) 626-3737
Email: jmiller@kslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF THE NAVY**

represented by **Steven M. Ranieri**
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 353-9895
Email: steve.ranieri@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kevin K. Robitaille
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20044
(202) 353-9895
Email: kevin.robitaille@usdoj.gov
TERMINATED: 02/01/2007

Date Filed	#	Docket Text
11/18/2005	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF THE NAVY (Filing fee \$ 250) filed by IVER P. COOPER.(td,) (Entered: 11/29/2005)
11/18/2005		SUMMONS (3) Issued as to U.S. DEPARTMENT OF THE NAVY, U.S. Attorney and U.S. Attorney General (td,) (Entered: 11/29/2005)
11/29/2005	<u>2</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on Attorney General. Date of Service Upon Attorney General 11/25/2005. (Attachments: # <u>1</u>)(Miller, James) (Entered: 11/29/2005)
11/29/2005	<u>3</u>	SUMMONS Returned Executed by IVER P. COOPER upon U.S. Attorney and U.S. Attorney General. U.S. DEPARTMENT OF THE NAVY served on 11/25/2005, answer due 12/27/2005. (Attachments: # <u>1</u> Signed Return Receipts)(nmw,) (Entered: 11/30/2005)
12/05/2005	<u>4</u>	NOTICE of Appearance by Kevin K. Robitaille on behalf of U.S. DEPARTMENT OF THE NAVY (Robitaille, Kevin) (Entered: 12/05/2005)

12/23/2005	<u>5</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by U.S. DEPARTMENT OF THE NAVY. (Attachments: # <u>1</u> Text of Proposed Order)(Robitaille, Kevin) (Entered: 12/23/2005)
12/23/2005		MINUTE ORDER granting <u>5</u> Defendant's Consent Motion for Extension of Time to Answer. The defendant is hereby ordered to answer or otherwise respond to the complaint by no later than January 27, 2006. Signed by Judge Emmet G. Sullivan on December 23, 2005. (lcegs2) (Entered: 12/23/2005)
12/23/2005		Set/Reset Deadlines: Answer due by 1/27/2006. (clv,) (Entered: 12/28/2005)
12/28/2005	<u>6</u>	SUMMONS Returned Executed by IVER P. COOPER. U.S. DEPARTMENT OF THE NAVY served on 12/7/2005, answer due 1/6/2006. (Attachments: # <u>1</u>)(Miller, James) (Entered: 12/28/2005)
01/25/2006	<u>7</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by U.S. DEPARTMENT OF THE NAVY. (Attachments: # <u>1</u> Text of Proposed Order)(Robitaille, Kevin) (Entered: 01/25/2006)
01/26/2006		MINUTE ORDER granting <u>7</u> Defendant's Motion for Extension of Time to Respond. Defendant U.S. DEPARTMENT OF THE NAVY's response is due no later than February 10, 2006. Signed by Judge Emmet G. Sullivan on January 26, 2006. (lcegs2) (Entered: 01/26/2006)
01/26/2006		Set/Reset Deadlines: Responses due by 2/10/2006 (clv,) (Entered: 01/26/2006)
02/10/2006	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF THE NAVY.(Robitaille, Kevin) (Entered: 02/10/2006)
02/10/2006	<u>9</u>	ORDER Initial Conference set for 4/5/2006 10:00 AM in Courtroom 24A before Judge Emmet G. Sullivan. Setting forth further instruction to counsel.. Signed by Judge Emmet G. Sullivan on 2/10/06. (clv,) (Entered: 02/10/2006)
03/29/2006	<u>10</u>	NOTICE of Rule 16(b) Report of Counsel by IVER P. COOPER, U.S. DEPARTMENT OF THE NAVY (Miller, James) (Entered: 03/29/2006)
04/04/2006		MINUTE ORDER. The initial status conference set for April 5, 2006, is hereby VACATED. Further, it is ordered that the parties' cross-motions for summary judgment are due no later than May 15, 2006, oppositions are due June 14, 2006, and replies, if any, are due no later than June 29, 2006. Signed by Judge Emmet G. Sullivan on April 4, 2006. (lcegs2) (Entered: 04/04/2006)
04/04/2006		Set/Reset Deadlines: The initial scheduling conference set for 4/5/06 has been vacated. Parties Cross Motions for summary judgment, oppositions due by 5/15/2006, replies due 6/29/06. (adc) (Entered: 04/04/2006)
05/15/2006	<u>11</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF THE NAVY. (Attachments: # <u>1</u> Appendix Memorandum of Points and Authorities# <u>2</u> Affidavit Exhibit 1 – Coyle Decl# <u>3</u> Exhibit Attachment A – Final Decision# <u>4</u> Exhibit Vaughn Index# <u>5</u> Affidavit Exhibit 2 – Liu Decl (2004)# <u>6</u> Affidavit Exhibit 3 – Bright decl# <u>7</u> Affidavit Exhibit 5 Liu Decl (2005)# <u>8</u> Statement of Facts # <u>9</u> Text of Proposed Order)(Robitaille, Kevin) (Entered: 05/15/2006)
05/15/2006	<u>12</u>	MOTION for Summary Judgment by IVER P. COOPER. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit Exhibit A for Statement of Plaintiff Iver Cooper of Material Facts Not In Dispute# <u>3</u> Exhibit Exhibit B for Statement of Plaintiff Iver Cooper Of Material Facts Not In Dispute# <u>4</u> Exhibit Exhibit C for Statement of Plaintiff Iver Cooper of Material Facts Not In Dispute)(Miller, James) (Entered: 05/15/2006)
06/07/2006	<u>13</u>	Consent MOTION for Extension of Time to <i>Cross Motions For Summary Judgment</i> by IVER P. COOPER. (Attachments: # <u>1</u> Text of Proposed Order)(Miller, James) (Entered: 06/07/2006)
06/09/2006		MINUTE ORDER granting <u>13</u> Consent Motion for Extension of Time to File Oppositions. The parties' respective oppositions are due no later than June 21, 2006, and replies, if any, are due July 7, 2006. Signed by Judge Emmet G. Sullivan on June 9, 2006. (lcegs2) (Entered: 06/09/2006)

06/12/2006		Set/Reset Deadlines: Responses due by 6/21/2006 Replies due by 7/7/2006. (clv,) (Entered: 06/12/2006)
06/21/2006	<u>14</u>	Memorandum in opposition to re <u>12</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF THE NAVY. (Attachments: # <u>1</u> Exhibit Slide referenced as Exhibit D; Liu Decl 2004)(Robitaille, Kevin) (Entered: 06/21/2006)
06/21/2006	<u>15</u>	RESPONSE to <i>Defendant's Statement of Material Facts That Are Not In Genuine Dispute</i> filed by IVER P. COOPER. (Attachments: # <u>1</u> Exhibit Exhibit A)(Miller, James) (Entered: 06/21/2006)
06/21/2006	<u>16</u>	Memorandum in opposition to re <u>11</u> MOTION for Summary Judgment of <i>Defendant U.S. Department of the Navy</i> filed by IVER P. COOPER. (Miller, James) (Entered: 06/21/2006)
06/21/2006	<u>17</u>	RESPONSE to <i>Plaintiff's Statement of Material Facts</i> filed by U.S. DEPARTMENT OF THE NAVY. (Robitaille, Kevin) (Entered: 06/21/2006)
07/06/2006	<u>18</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>12</u> MOTION for Summary Judgment, <u>11</u> MOTION for Summary Judgment by U.S. DEPARTMENT OF THE NAVY. (Attachments: # <u>1</u> Text of Proposed Order)(Robitaille, Kevin) (Entered: 07/06/2006)
07/10/2006		MINUTE ORDER granting <u>18</u> Joint Motion for Extension of Time to File Replies. The parties' respective replies are due no later than July 20, 2006. Signed by Judge Emmet G. Sullivan on July 10, 2006. (lcegs2) (Entered: 07/10/2006)
07/18/2006		Set/Reset Deadlines: Reply to Motion for Summary Judgment due by 7/20/2006. (adc) (Entered: 07/18/2006)
07/20/2006	<u>19</u>	REPLY to opposition to motion re <u>11</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF THE NAVY. (Robitaille, Kevin) (Entered: 07/20/2006)
07/20/2006	<u>20</u>	REPLY re <u>14</u> Memorandum in Opposition to <i>Motion for Summary Judgment</i> filed by IVER P. COOPER. (Miller, James) (Entered: 07/20/2006)
01/26/2007		MINUTE ORDER. The United States Department of the Navy is ordered to provide Professor David Liu's November 11, 2000 CoolFont IV conference PowerPoint presentation to the Chambers of Judge Sullivan for in camera review. The presentation may be produced in whatever format is most convenient for the Navy. The Navy is further ordered to provide the Court with additional briefing on what information from the PowerPoint presentation has been publicly disclosed in patent applications, articles, or other formats and what information, if any, has not been shared with the public so that the Court can make an appropriate determination about the applicability of FOIA Exemption 4. The Navy may submit an ex parte brief to the Court, if necessary. The PowerPoint presentation and supplemental briefing shall be submitted to the Court by February 12, 2007. Signed by Judge Emmet G. Sullivan on January 26, 2007. (lcegs2) (Entered: 01/26/2007)
01/29/2007		Set/Reset Deadlines: Supplemental Memorandum due by 2/12/2007. (clv,) (Entered: 01/29/2007)
01/31/2007	<u>21</u>	NOTICE of Appearance by Steven M. Ranieri on behalf of U.S. DEPARTMENT OF THE NAVY (Ranieri, Steven) (Entered: 01/31/2007)
02/07/2007	<u>22</u>	Consent MOTION for Extension of Time to <i>File Supplemental Brief</i> by U.S. DEPARTMENT OF THE NAVY. (Attachments: # <u>1</u> Text of Proposed Order)(Ranieri, Steven) (Entered: 02/07/2007)
02/08/2007		MINUTE ORDER granting <u>22</u> Defendant's motion for extension of time to file supplemental brief. Defendant's in camera submission of the PowerPoint presentation and Defendant's supplemental brief are now due on March 14, 2007. Any further requests for extension of time shall be viewed with disfavor. Signed by Judge Emmet G. Sullivan on February 8, 2007. (lcegs2) (Entered: 02/08/2007)
02/08/2007		Set/Reset Deadlines: Supplemental Memorandum due by 3/14/2007. (clv,) (Entered: 02/08/2007)

03/14/2007	<u>23</u>	NOTICE <i>of Filing under Seal</i> by U.S. DEPARTMENT OF THE NAVY re Order,,, (Ranieri, Steven) (Entered: 03/14/2007)
03/14/2007	<u>24</u>	SUPPLEMENTAL MEMORANDUM in support of <u>11</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF THE NAVY. (FILED UNDER SEAL) (jf,) (Entered: 03/16/2007)
03/30/2007	<u>25</u>	ORDER granting <u>11</u> Defendant's Motion for Summary Judgment; denying <u>12</u> Plaintiff's Motion for Summary Judgment. The Clerk of the Court shall enter judgment against the Plaintiff and in favor of the Defendant. Signed by Judge Emmet G. Sullivan on March 30, 2007. (lcegs2) (Entered: 03/30/2007)
03/30/2007	<u>26</u>	MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on March 30, 2007. (lcegs2) (Entered: 03/30/2007)
03/30/2007	<u>27</u>	CLERK'S FINAL JUDGMENT in favor of defendant against plaintiff. Signed by Carol Votteler, Courtroom Deputy to Judge Emmet G. Sullivan on 3/30/07. (clv,) (Entered: 03/30/2007)